

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 787 OF 2002
IN
SECOND APPEAL NO. 557 OF 2002

Shri Kisan Bhau Shinde ..Applicant

Vs.

Dattatraya Vithal Shinde ..Respondents
and ors.

Mr. Sachin R. Pawar i/by Mr. Sandeep S. Salunkhe
for applicant.

Mr. Siddharth Karpe i/by M/s. YKS Legal for
respondent nos.2,5,6 and 7.

CORAM: B.H. MARLAPALLE, J.

Date : April 30, 2007.

P.C.:

. Heard.

. The Second Appeal No. 557 of 2002 has already been admitted. The decree passed by the Lower Appellate Court is for partition amongst four brothers and, therefore, it is not necessary to stay the decree. However, the decree of partition shall be subject to the final outcome in the second appeal. At

the same time, it is directed that none of the parties to the second appeal shall create any third party interest by any mode during the pendency of the second appeal in respect of the suit property without the leave of this court.

. Civil Application disposed off accordingly.

(B.H. Marlapalle, J.)